IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA, Plaintiffs, vs. TEMPEST AMERSON, YOLANDA CLEMONS, ISYS JORDAN, ROSLAND STARKS, THOMAS WHITLOW, Defendants.	**4:14CR3015** **MEMORANDUM AND ORDER**

Defendant Thomas Whitlow has moved to continue the trial currently set for April 21, 2014. (Filing No. 82). As explained in the motion, Whitlow's newly appointed counsel needs additional time to review discovery and prepare for trial. The motion to continue is unopposed. Based on the showing set forth in the motion, the court finds the motion should be granted. Accordingly,

IT IS ORDERED:

1)   Defendant Thomas Whitlow's motion to continue, (filing no. 82), is granted.

2)   As to all defendants, the trial of this case is continued. All defendants that have not entered a plea of guilty, their counsel, and counsel for the government shall appear at a status conference with the undersigned magistrate judge in Courtroom 2, Robert V. Denney Federal Building, 100 Centennial Mall North, Lincoln, NE on **May 20, 2014** at **10:00 a.m.** to discuss a new trial date for this case.

3)   Based upon the showing set forth in the defendant Thomas Whitlow's motion and the representations of counsel, the Court further finds that the ends of justice will be served by continuing the trial; and that the purposes served by continuing the trial date in this case outweigh the interest of the defendant and the public in a speedy trial. Accordingly, **as to all defendants**, the additional time arising as a result of the granting of the motion, the time between today's date and May 20, 2014, shall be deemed excludable time in any computation of time under the requirements of the Speedy Trial Act, because despite counsel's due diligence, additional time is needed to adequately prepare this case for trial and failing to grant additional time might result in a miscarriage of justice. 18 U.S.C. § 3161(h)(1), (h)(6) & (h)(7).

April 11, 2014

BY THE COURT:

s/ Cheryl R. Zwart
United States Magistrate Judge